

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE SOUTHERN DISTRICT OF TEXAS  
3 HOUSTON DIVISION  
4 UNITED STATES OF AMERICA § CASE NO. 4:18-CR-333  
5 VERSUS § HOUSTON, TEXAS  
6 ROBERT CHARLES WOOTEN § THURSDAY,  
§ JUNE 21, 2018  
§ 10:48 A.M. TO 10:54 A.M.

7 INITIAL APPEARANCE  
8 BEFORE THE HONORABLE FRANCES H. STACY  
9 UNITED STATES MAGISTRATE JUDGE

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12 APPEARANCES: SEE NEXT PAGE  
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1 APPEARANCES:

2  
3 FOR THE PLAINTIFF: US ATTORNEY'S OFFICE  
4 Jill J. Stotts, Esq.  
5 1000 Louisiana St., Ste. 2300  
6 Houston, TX 77002  
7 713-567-9691

8  
9 FOR THE DEFENDANT: TO BE APPOINTED

10 FOR PRETRIAL SERVICES: DAVID HERNANDEZ

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1                   HOUSTON, TEXAS; THURSDAY, JUNE 21, 2018; 10:48 A.M.

2                   (Official Court Interpreter utilized for translation.)

3                   THE COURT: Okay. US versus Robert Charles  
4 Wooten, No. H-18-333.

5                   MS. STOTTS: Jill Stotts on behalf of the United  
6 States.

7                   THE COURT: Mr. Wooten.

8                   (Pause in the proceedings.)

9                   THE COURT: This is -- FPD can't be in this case  
10 either, right. Is this related?

11                  MS. STOTTS: It is not, Your Honor.

12                  THE COURT: Mr. Wooten, I see you filled out a  
13 Financial Affidavit.

14                  DEFENDANT WOOTEN: Yes, ma'am.

15                  THE COURT: Raise your right hand, please, and  
16 swear to the facts in the Affidavit.

17                  (Defendant sworn to the Financial Affidavit.)

18                  DEFENDANT WOOTEN: Yes, ma'am.

19                  THE COURT: Okay. Since you've been in custody --  
20 and maybe even when you're not in custody, since you have  
21 four children, you may spend all of your income on the  
22 necessities of life, but as of now, you don't have funds to  
23 hire a lawyer. I find that you are financially eligible for  
24 a lawyer and I will appoint a CJA lawyer for you -- Criminal  
25 Justice Act Panel lawyer, because the Public Defender has a

1 conflict in representing you, okay?

2 So you will have a lawyer assigned to you  
3 immediately, like in the very near future -- today,  
4 probably, or tomorrow.

5 And this lawyer is the only person that you should  
6 talk to about this case. You should not talk to anybody  
7 else about the case. You're not required to. You're not  
8 required to answer questions from law enforcement officials.  
9 You, yourself, are not required to be a witness. You're not  
10 required to make any explanation to anybody about the facts  
11 of this case. Of course, it's in your best interest to talk  
12 to your own lawyer about the case.

13 If you are convicted and you want to appeal that  
14 conviction, you may request a court-appointed lawyer for  
15 appeal. You know, if you can't pay for a lawyer, you can  
16 still get a court-appointed lawyer for appeal also.

17 DEFENDANT WOOTEN: Yes, ma'am.

18 THE COURT: The charges were filed on the 13th of  
19 June, 2018. It's in an Indictment that you'll get a copy of  
20 today and your lawyer also will be given a copy.

21 The accusations, there are three counts: Count 1,  
22 3, and 5 allege that you committed interference with  
23 commerce by robbery. And then there are three more counts,  
24 2, 4, and 6 allege that you used a firearm in relation to a  
25 crime of violence.

1                   So the three robberies are, let's see, Count 1,  
2 allegedly there was -- you committed a robbery at Walgreen's  
3 on West Little York on December 25th, 2017, and Count 2  
4 alleges you used a firearm in connection with that robbery.

5                   Count 3 alleges you robbed a Bayou Pawn on  
6 Shepherd Drive of currency, and that occurred on  
7 December 29th, 2017. And also, Count 4 alleges you used a  
8 firearm in connection with that offense.

9                   Count 5 alleges interference with commerce by  
10 robbery on or about December 29th. It's alleged that you  
11 took currency from Metro PCS on Little York in Houston, and  
12 Count 6 alleges you used a firearm in connection with that  
13 offense.

14                  Can you explain the statutory range of punishment?

15                  MS. STOTTS: Yes, Your Honor.

16                  Counts 1, 3, and 5 is up to 20 years in prison, up  
17 to a \$250,000 fine, up to three years of supervised release,  
18 and a \$100 special assessment.

19                  Counts 2, 4, and 6, the first count of conviction  
20 is seven -- a minimum of seven years up to life. The next  
21 count -- the next counts are a minimum of 25 to life for  
22 each additional count, up to a -- and those are consecutive  
23 also to any term of imprisonment -- up to a \$250,000 fine,  
24 up to five years' supervised release, and a \$100 special  
25 assessment per count.

1 THE COURT: Are you moving to detain Mr. Wooten?

2 MS. STOTTS: Yes, Your Honor.

3 THE COURT: Okay. I think we should set that  
4 hearing for 10:00 o'clock on Monday, the 25th of June.

5 MS. STOTTS: Okay.

6 THE COURT: Mr. Wooten, I'd like you to come back  
7 to court tomorrow for a counsel determination, so that you  
8 can actually talk to the lawyer that we find for you.

9 And then come back again on Monday for a bail  
10 hearing and to enter a plea of not guilty. The case will be  
11 set before Judge Hughes at that time, all right?

12 DEFENDANT WOOTEN: Yes, ma'am.

13 THE COURT: So those are the next two steps.

14 DEFENDANT WOOTEN: So I don't have no cases with  
15 the State no more?

16 THE COURT: You don't have a what?

17 DEFENDANT WOOTEN: Cases with the State no more?

18 THE COURT: I don't know

19 MS. STOTTS: He does, Your Honor.

20 THE COURT: You do, a separate case, but --

21 MS. STOTTS: He did, but it's still pending at  
22 this time.

23 THE COURT: Oh, it's related to this case?

24 MS. STOTTS: Some are and some are not.

25 THE COURT: Okay. So that's just a separate

1 matter and this case takes precedence and you'll be in  
2 Federal custody until this case is resolved.

3 DEFENDANT WOOTEN: Yes, ma'am.

4 THE COURT: All right. You'll be back tomorrow  
5 before Judge Johnson, on Monday before Judge Smith.

6 This hearing is adjourned for now.

7 MS. STOTTS: Thank you.

8 DEFENDANT WOOTEN: Thank you.

9 THE COURT: What?

10 DEFENDANT WOOTEN: Could Your Honor see that I get  
11 a phone call?

12 THE COURT: Can he use the phone, please?

13 THE MARSHAL: Yes, Your Honor.

14 THE COURT: You can use the phone in the Marshal's  
15 Office today, yes.

16 MS. STOTTS: Thank you, Your Honor.

17 (Proceedings adjourned at 10:54 a.m.)

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1           *I certify that the foregoing is a correct*  
2 *transcript to the best of my ability produced from the*  
3 *electronic sound recording of the proceedings in the above-*  
4 *entitled matter.*

5 */S/ MARY D. HENRY*

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